

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

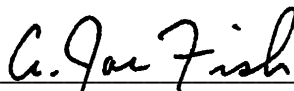
DEBORAH ANN THOMAS,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION NO.
)	
DALLAS INDEPENDENT SCHOOL)	3:22-CV-2685-G-BN
DISTRICT,)	
)	
Defendant.)	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Objections were filed.* The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

* The court construes the plaintiff's amended complaints (docket entries 23 and 24) as objections to the findings, conclusions, and recommendation. The amendments as proposed would be futile for the reasons explained in the findings, conclusions, and recommendation. And, insofar as the plaintiff proposes for the first time to add a claim under 42 U.S.C. § 1981, presumably to avoid the exhaustion requirement, the plaintiff's proposed amended allegations lack facts sufficient to establish the required element that race was a but-for cause of her alleged injury. See *Comcast Corporation v. National Association of African American-Owned Media*, __ U.S. __, 140 S. Ct. 1009, 1015, 1020 (2020). Thus, there is no need to grant leave to amend.

July 21, 2023.



A. JOE FISH
Senior United States District Judge